

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re APOLLO GROUP, INC.
SECURITIES LITIGATION

Case No.: C 06-80270 MISC PVT

**ORDER TO SHOW CAUSE WHY EXHIBITS
T, X, Y AND Z TO DIULIO DECLARATION
SHOULD NOT BE UNSEALED**

On September 26, 2006, this court issued an Interim Order re Request to File Under Seal which temporarily sealed Exhibits T, X, Y and Z to the Diulio Declaration.¹ In that order the court set a deadline of October 3, 2006, for any party or interested non-party claiming that any information contained in the above-referenced documents warrants sealing under Rule 26(c) to serve and file declaration(s) from competent witnesses setting forth the specific facts that justify sealing. As of October 6, 2006, no such declarations have been filed. Therefore,

IT IS HEREBY ORDERED that no later than October 12, 2006, any party or non-party who wants Exhibits T, X, Y and Z to the Diulio Declaration to remain under seal shall file a declaration showing cause why those exhibits should not be unsealed and made part of the public record.²

Dated: 10/6/06


PATRICIA V. TRUMBULL
United States Magistrate Judge

¹ As used herein, "Diulio Declaration" refers to the Declaration of Kristopher P. Diulio in Support of Defendant Apollo Group, Inc.'s Opposition to Julie Albertson's and Mary Hendow's Motion to Quash Subpoenas.

² The court again notes that "Broad allegations of harm, however, unsubstantiated by specific examples or articulated reasoning, do not satisfy the Rule 26(c) test." *Beckman Indus., Inc. v. International Ins. Co.*, 966 F.2d 470, 476 (9th Cir. 1992).